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Letter dated 8 August 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities containing the position of the Committee on the recommendations included in the fourth report of the Analytical Support and Sanctions Monitoring Team. The present report was approved by the Committee on 8 August 2006. I would appreciate it if the report could be circulated to members of the Security Council and issued as a document of the Council.

(*Signed*) César **Mayoral**
Chairman
Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

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Annex

Recommendations contained in the fourth report of the Analytical Support and Sanctions Monitoring Team

Position of the Committee

1. In his letter dated 8 March 2006 addressed to the President of the Security Council (S/2006/154), the Chairman of the Al-Qaida and Taliban sanctions Committee transmitted the fourth report of the Analytical Support and Sanctions Monitoring Team and requested its issuance as a Security Council document. In the letter it was noted that the Committee was considering the recommendations contained in the report with a view to improving the established sanctions measures and their implementation.

2. Having completed its consideration of the recommendations, the Committee would like to bring to the attention of the Security Council its position on a number of the recommendations contained in the report. The Committee finds that many of the recommendations should be brought to the attention of Member States, as they can significantly improve their implementation of the sanctions measures. The Committee, while finding the recommendations a valuable source for consideration, has arrived at its own conclusions that are on some occasions not necessarily the same as those of the Monitoring Team. The Committee also wishes to use this opportunity to inform the Council of those recommendations that the Committee feels should be implemented on a priority basis.

3. The Committee expresses its appreciation to the Monitoring Team for its high-quality report and anticipates with interest the report to be submitted by the Team in accordance with annex I to resolution 1617 (2005), by 31 July 2006.

I. The consolidated list

4. In order to strengthen sanctions enforcement, the Committee considers the improvement of its consolidated list as one of the most important tasks before it. The Committee again strongly encourages all States to submit additional identifying information on individuals and entities already placed on it and to this end closely cooperate with the Committee and the Monitoring Team.

5. The Committee continues to place a great emphasis on its enhanced dialogue with States and therefore supports the Team's recommendation to give a submitting State regular feedback on the progress of its submission if the Committee does not decide within a certain period of time whether to accept it. In its pursuit to improve the quality of the list, the Committee supports the Monitoring Team's recommendation that the Committee should make every effort to collect more details on previous entries on its list.

6. The Committee is aware of the usefulness of a standard cover sheet (form) for listing proposals suggested by the Monitoring Team. Such a sheet (form) will assist States in their listing submissions and contribute to the improvement of the quality of the list. The Committee has expressed support for this recommendation and recently adopted the cover sheet for immediate use. The Committee is also

considering the Team's proposal to include additional guidance for the "statement of the case," as required by resolution 1617 (2005). The Committee is currently working on the revision of its guidelines, in particular its listing and de-listing procedures, and the above issues are high on its agenda.

II. Implementation of sanctions

7. The Monitoring Team has provided a number of innovative recommendations regarding implementation of the sanctions. Some of these recommendations would require more in-depth consideration, such as the establishment of national mechanisms to identify and target individuals and entities for inclusion on the Consolidated List.

III. Assets freeze

8. The Committee found the recommendations outlined in this area to be of particular significance to the improvement of the sanctions regime. The Committee believes that more should be done to enhance the Committee's understanding of ways in which terrorist activities are financed. The Committee intends to work with Member States to better identify those who finance terrorist activities. The Committee further agreed that developing a summary of best practices in this area would be especially beneficial and recommended that the Monitoring Team further explore and develop this concept with the Counter-Terrorism Committee.

9. The Committee remains committed to improving its website and making it an accessible and useful tool for Member States seeking to obtain not only information regarding the Consolidated List but also on the work of the Committee. The Monitoring Team has been tasked to assist the Committee by providing general guidelines to Member States on how best to conduct an effective search on the Consolidated List. Additionally, the Committee recognizes that Member States rely heavily on the information provided in the Consolidated List and is seeking to explore other types of its electronic format that might enable States to utilize it more effectively. With regard to the identification of current sources of finance for Al-Qaida and the Taliban, the Committee has recommended that, wherever possible, States circulate the List in its electronic format to their national institutions.

10. The Committee considered a number of recommendations from the Monitoring Team regarding the definition of assets freezing, the location in which frozen funds should be held, as well as the procedure to notify the Committee following the freezing of bank accounts. The Committee felt that these issues rest within the purview of national determination. However, the Committee does not exclude the possibility that in the future it will revisit this subject.

IV. Travel ban

11. In its previous statements, the Committee has reminded and continues to remind States that they should submit information when they locate listed individuals within their territory. In this regard, the Committee reiterates the importance of the list being as accurate as possible.

12. The Committee has engaged with Interpol to develop the Interpol - United Nations Security Council Special Notices, which are issued for individuals and entities on the Committee's Consolidated List. The purpose of the Notices is twofold: first, to alert law enforcement officials of certain individuals and/or entities who are on the Consolidated List and second, to serve as a request to law enforcement officials to undertake the actions specified in the Notices against those concerned. The Committee supports the recommendation that Member States be formally informed of this development and encouraged to distribute the notices throughout relevant national Government departments, as well as to non-governmental entities. Furthermore, the Committee supports the continued relationship with Interpol and in this regard looks forward to working with States in order to gather more information on listed individuals so as to strengthen the sanctions regime.

13. The Committee is also pleased with its continued engagement with the International Civil Aviation Organization (ICAO) in implementing the sanctions and further appreciates the offer by ICAO to place a link to the Committee's website on the ICAO website for the Consolidated List.

V. Arms embargo

14. The Committee with the assistance of the Monitoring Team intends to explore the issue of non-compliance, in which the Committee would be able to better understand whether neighbouring States are fulfilling their obligation to prevent breaches of the arms embargo. In addition, while the Committee found some of the recommendations to be within the purview of the Counter-Terrorism Committee or the Committee established pursuant to resolution 1540 (2004), the Committee would like to explore ways in which it could provide more clarification on the scope of the arms embargo and what specifically it entails for Member States. In this regard, the Committee supports the efforts of the 1540 (2004) Committee and requests that the Monitoring Team continue interacting with relevant bodies that deal specifically with chemical, biological, radiological, and nuclear materials to ensure that they are not transferred to individuals or entities associated with Al-Qaida or the Taliban.

15. The Committee fully supports and encourages Member States to submit for listing the names of those who provide technical advice, assistance, or training related to military activities to the individuals and entities on the Consolidated List. Such individuals should be subject to the sanctions measures and their names be referred to the Committee. In this connection, the Committee also seeks to remind States that they are accountable for the implementation of the arms embargo within their respective borders and the Committee thus supports the Monitoring Team's recommendation to emphasize to States the need to adopt specific regulations in this regard.

VI. Member State Reporting

16. The Committee reiterates its call on States that have not submitted a report pursuant to resolution 1455 (2003) or a checklist pursuant to resolution 1617 (2005), to do so without delay. Such reports not only serve as a means for dialogue between Member States and the Committee but also as a way to gather information regarding the effectiveness of the sanctions regime. The Committee continues to work with the Team to explore ways to address non-reporting in conjunction with the reporting requirements of the 1540 Committee and the Counter-Terrorism Committee. In an effort to inform Member States of the importance of such reports the Committee supports the Team's recommendation to place further information on its website regarding the principal objectives of the Committee's work and the value of reporting.

17. The Monitoring Team has performed well not only in working with Member States but also in attending meetings hosted by various international organizations and regional groups. The Committee recognizes that regional groups maintain regional influence and have the ability to increase regional awareness of the sanctions regime. The Committee supports the Team's recommendation that regional actors could assist in the reporting process and thus encourages the Team to explore with such groups ways in which this recommendation could be realized. Furthermore, the Committee would welcome additional information from the Team on the elements for a regional report that a State could submit in common with neighbouring States.

VII. Al-Qaida and the Internet

18. The Committee studied the Team's recommendations on the abuse of the Internet by Al-Qaida and the Taliban, and requested the Team to submit a background paper for further discussion.

VIII. Conclusion

19. The Monitoring Team continues to provide the Committee with insightful observations and useful recommendations on the further improvement of the sanctions measures. The Team also provides professional support and assistance to the Committee in its monitoring function. The Committee strongly urges all States to familiarize themselves with the reports of the Team, as they contain a variety of useful and innovative ideas and information relevant to the implementation of the sanctions against Al-Qaida and the Taliban.

20. This is the second written report of the Committee to the Security Council on the recommendations contained in reports of the Monitoring Team. The Committee expects that this report will also prove to be useful in the States' implementation efforts.